

PLANNING BOARD MINUTES

APRIL 10, 2013

Town Council Chambers

Board members present:

**Gladys Lavine, Vice Chair Alison Ring, Principal Planner
Betty Jane Owen Frank Holbrook, Assistant Town Solicitor
Audrey Rearick
Charlene Rose-Cirillo
John Ciummo
Matthew Sullivan**

Member absent:

Pete Marnane

The meeting was called to order at 6:35pm.

1. Election of Planning Board officers for 2013.

Motion by Ms. Cirillo, seconded by Ms. Rearick, to appoint Ms. Lavine as Chairman, Ms. Owen as Vice Chairman, and Ms. Rearick as Secretary. Vote: 6-0-0.

2. Approval of the minutes of the March 13, 2013 regular Planning Board meeting, and the special meetings of March 6, 2013.

Motion by Ms. Rearick, seconded by Ms. Cirillo, to approve the

minutes of the March 6, 2013 special Planning Board meetings. Vote: 6-0-0. Motion by Ms. Cirillo, seconded by Ms. Owen, to approve the minutes of the March 13, 2013 regular Planning Board meeting. Vote: 6-0-0.

3. Correspondence - Memorandum of the Town Planner dated April 1, 2013 regarding approval of an administrative subdivision plan for Jose L. Gomes, and Joseph L. Gomes, Jr. & Amy Gomes, Plat 117, Lots 84 & 800.

Motion by Ms. Owen, seconded by Ms. Cirillo, to receive the communication. Vote: 6-0-0

4. Public Hearing – Peter Gallipeau, Proposed 12 lot Major Subdivision, Bailey Ave. & Sachuest Drive, Plat 126, Lot 4, Request for Preliminary Plan approval.

Ms. Ring stated that the applicant has requested a continuance and has submitted a letter agreeing to the extension of the review period. Motion by Ms. Rearick, seconded by Ms. Owen, to continue the matter to the May 8, 2013 Planning Board meeting at 6:30pm. Vote: 6-0-0.

5. John Peixinho & Jonna Chewning, Request for Administrative Subdivision approval, Third Beach Rd. Plat 125, Lots 72 & 73.

Ms. Ring stated that the applicant has requested a continuance and has provided a letter agreeing to an extension of the timeframe for the Planning Board to render a decision.

Motion by Ms. Owen, seconded by Ms. Rearick, to continue the matter to the May 8, 2013 Planning Board meeting. Vote: 6-0-0.

6. Linda Phelan, Proposed 2-lot minor subdivision, 272 Mitchell's Lane, Plat 123, Lot 13. Request for Final Plan approval.

The applicant was not present.

Ms. Lavine stated the applicant was seeking a zoning variance to allow for the creation of a lot with less than the minimum required developable lot area. A special use permit to allow for development in Zone 1 of the Watershed Protection District is also required.

Motion by Ms. Cirillo, seconded by Ms. Owen, to continue the matter to the May 8, 2013 Planning Board meeting. Vote: 6-0-0.

Motion by Ms. Owen, seconded by Ms. Cirillo to move Lewis agenda item forward on the agenda to not unnecessarily delay applicant in attendance. Vote: 6-0-0.

7. Request of the Zoning Board of Review for an advisory recommendation on a petition of Dr. George P. Lewis, Lewis Family LP III for a special use permit pursuant to Zoning Ordinance sections 1103 & 1108 to allow construction of a single-family dwelling located in Zone 1 of the watershed protection district. Property located at 14 Lewis Drive, Plat 125, Lot 947.

The applicant stated that he received a special use permit at time of subdivision; however, that special use permit has expired. There are no changes since permit was granted.

Motion by Ms. Rearick, seconded by Ms. Owen, to recommend approval of the special use permit in Zone 1 of the Watershed Protection District subject to the following conditions:

- 1. The owner shall connect the dwelling to the public sewer system**
- 2. The site design is required to comply with the provisions of the town's storm water management ordinance (Chapter 153), and construction site runoff and erosion control (Chapter 151).**
- 3. Required maintenance of any storm water treatment facilities shall be performed on an ongoing basis as called in the design and RIDEM requirement.**
- 4. The use of lawn chemicals and other chemicals with the potential to adversely impact ground and surface water quality shall be limited.**

Vote: 6-0-0.

8. Request of the Town Council for review and recommendation on Impact Fees Study by TischlerBise, dated January 24, 2013, and proposed impact fees schedule.

Ms. Ring summarized the recommendations of TischlerBise included in the final Impact Fees Study dated March 28, 2013. Ms. Owen suggested the Planning Board consider recommending the town review the impact fee schedule every two years.

Motion by Ms. Rearick, seconded by Mr. Sullivan to recommend the proposed impact fee schedule included in the TischlerBise Impact

Fees Study dated March 28, 2013 with the recommendation that the Town review the schedule every two years. Vote: 6-0-0.

9. Request for recommendation for Planning Board representatives to serve on the Aquidneck Island Planning Commission.

Motion by Ms. Owen, seconded by Ms. Rearick, to nominate Mr. Ciummo to serve as Planning Board representative on the Aquidneck Island Planning Commission. Vote: 6-0-0.

10. Request for recommendation for Planning Board representative to serve on the Open Space & Fields Committee.

Motion by Ms. Owen, seconded by Ms. Cirillo to nominate Mr. Sullivan to serve as Planning Board representative on the Open Space & Fields Committee. Vote: 6-0-0.

11. Update on activities of the Aquidneck Island Planning Commission.

Ms. Lavine stated that the AIPC will be holding a strategic planning meeting on May 10th at the Salvation Café to discuss outreach efforts for a broader approach to island-wide issues.

12. Update on BRAC Navy Surplus Land reuse planning process.

Ms. Ring stated that Matrix will be in town next week to meet with the town managers of the three island communities. They are working on creating more detailed plans informed by a market analysis.

13. Discussion of process to complete Comprehensive Plan update.

Ms. Ring summarized the current status of the Comprehensive Plan update effort and the next steps. Final draft near complete and will be provided to the Planning Board at an upcoming meeting. Town next needs to ensure the document is consistent with new state statute

prior to submitting informally to state begin its review. Public hearings will be held by Planning Board in upcoming months.

14. Request of the Zoning Board of Review for an advisory recommendation on a petition of Linda Phelan for a special use permit pursuant to Zoning Ordinance sections 1103 & 1108 to allow construction of a single-family dwelling located in Zone 1 of the watershed protection district. Property located at 272 Mitchells Lane, Plat 123, Lot 13.

Motion by Ms. Rearick, seconded by Ms. Cirillo to recommend approval of a special use permit in Zone 1 of the watershed protection district with the following conditions:

1. The site design is required to comply with the provisions of the town's storm water management ordinance (Chapter 153), and constriction site runoff and erosion control (Chapter 151).
2. Required maintenance of the septic system and any storm water treatment facilities shall be performed on an ongoing basis as called in the design and RIDEM requirements.
3. The use of lawn chemicals and other chemicals with the potential to adversely impact ground and surface water quality shall be limited.

Vote: 6-0-0.

15. Review of 2013 Community Development Block Grant (CDBG) application for consistency with the Middletown Comprehensive Community Plan.

Ms. Cirillo expressed that, if available, the SHARP funds should be advertised so that organizations are aware of the funding. Ms. Ring summarized the purpose of the SHARP funds. Motion by Ms. Rearick,

seconded by Ms. Owen, to find that the 2013 CDBG application is consistent with the Middletown Comprehensive Community Plan. Vote: 6-0-0.

16. Review of 2014-2018 Capital Improvement Program (CIP) for consistency with the Middletown Comprehensive Community Plan.

Motion by Ms. Rearick, seconded by Ms. Owen, to find that the 2014-2018 Capital Improvement Program is consistent with the Middletown Comprehensive Community Plan. Vote: 6-0-0.

17. Consideration of support for RI Senate Bill No. 212 entitled, an act relating to towns and cities - low and moderate income housing, which would allow mobile/manufactured homes which are a part of a mobile/manufactured home park to be counted as low and moderate income housing for purposes of compliance with the requirements of the city or town's comprehensive land use plan.

Ms. Owen reached out to Senator Raptakis sponsor of the bill to provide more insight. Ms. Ring provided some discussion on the Low-and-Moderate Income Housing Act and the town's current low mod percentage as well as some arguments for and against Senate Bill 212. Ms. Ring also stated that the town currently has over 150 mobile homes in its mobile home parks that would potentially be counted towards the town's low mod percentage if the bill were to be enacted.

Motion by Ms. Rearick, seconded by Ms. Owen, to recommend the Town Council consider a resolution in support of RI Senate Bill No. 212. Vote: 6-0-0.

Motion to adjourn Ms. Owen, seconded by Ms. Rearick. Vote: 6-0-0.

Meeting adjourned at 7:06pm.

Respectfully submitted:

Alison Ring

Principal Planner